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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/005,603	12/04/2001	Vincent Carl Harradine	450110-03697	9751

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EXAMINER
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ABEBE, DANIEL DEMELASH

ART UNIT	PAPER NUMBER
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2654

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DATE MAILED: 03/31/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

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## Office Action Summary

Application No. <b>10/005,603</b>	Applicant(s) <b>Harradine et al.</b>
Examiner <b>Daniel Abebe</b>	Art Unit <b>2654</b>

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

1)  Responsive to communication(s) filed on \_\_\_\_\_.

2a)  This action is FINAL. 2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

### Disposition of Claims

4)  Claim(s) 1-53 and 59-77 is/are pending in the application.

4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5)  Claim(s) \_\_\_\_\_ is/are allowed.

6)  Claim(s) 1-53 and 59-77 is/are rejected.

7)  Claim(s) \_\_\_\_\_ is/are objected to.

8)  Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are a)  accepted or b)  objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)  The proposed drawing correction filed on \_\_\_\_\_ is: a)  approved b)  disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.

12)  The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

13)  Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)  All b)  Some\* c)  None of:

1.  Certified copies of the priority documents have been received.
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\*See the attached detailed Office action for a list of the certified copies not received.

14)  Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

a)  The translation of the foreign language provisional application has been received.

15)  Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

1)  Notice of References Cited (PTO-892)

2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)  Information Disclosure Statement(s) (PTO-1449) Paper No(s). 7, 9

4)  Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_

5)  Notice of Informal Patent Application (PTO-152)

6)  Other: \_\_\_\_\_

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## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 13 and 41 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claims 13 and 41, the phrase "or the like" renders the claim(s) indefinite because the claim(s) include(s) elements not actually disclosed (those encompassed by "or the like"), thereby rendering the scope of the claim(s) unascertainable. See MPEP § 2173.05(d).

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-5, 8-10, 12, 14-37, 49-53, 59, 60, 62, 63 and 65-67, 69, 70, 72, 73, 75 and 76

are rejected under 35 U.S.C. 102(b) as being anticipated by Wactlar et al. (5,835,667).

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As to claim 1, Wactlar teaches an audio/video reproducing apparatus/video library (Fig.1, 10) connect able to communication network (Fig.5) for selectively producing items/portions in a video material in response to a query received via the network (abstract; Col.4, lines 30-50).

As to claim 2, Wactlar teaches a control/query processor (Fig.1, 129) and reproducing/retrieving processor (Col.6, lines 55-63).

As to claims 3-5, Wactlar teaches where multiple network interfaces are utilized in the system (Fig.5).

As to claims 8-9, Wactlar teaches where a plurality of reproducing apparatus are coupled locally to the control/query processor (Fig.1).

As to claim 10, Wactlar teaches where the reproducing apparatus comprises a video display (Figs.6, A1-2).

As to claim 12, Wactlar teaches where segments in the video are identified through keywords (Fig.1).

Claim 14 is a method claim analogous to claim 1 and is rejected for the foregoing reasons.

As to claims 15-18, Wactlar teaches the corresponding image and audio signal processor including activity/content detector (Fig.2, 33) and temporal image sample generator and a compressor (Fig.2, 35, 34; Col.11, line 54-Col.12, line 50) as well as a reproducer (Fig.1).

As to claims 19-22 and 25, Wactlar teaches where pointers are generated for locating the data, communication channel and display (Col.11, lines 23-30; Figs.1 and 6).

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As to claims 23-24, Wactlar teaches where objects in the images are tracked/detected by locating beginning and end point of shots, scene and conversations (Col.11, lines 54-65).

As to claims 26-34, Wactlar teaches the corresponding image and audio signal processor and indexer based on speech data where speech is identified and marked with time codes and where segments are generated based on content analysis in the audio (Fig.1; abstract) and a reproduction processor and a communication channel as addressed above.

As to claims 35-37, Wactlar teaches an audio/video processing apparatus, comprising:  
a video processing apparatus (Fig.1, 32);  
an activity (content) detector (Fig.2, 33);  
an image generator (Fig.2, 35);  
a speech analyzer (Fig.2, 28);  
an activity processor and content information generator for indexing the speech (Fig.6; Col. 12, lines 41-45).

As to claims 49-53, 59, 60, 62, 63 and 65-67, 69, 70, 72, 73, 75 and 76, Wactlar teaches where the audio/video indexing and reproducing process is performed by computer (Figs.1-2) and a computer product for carrying out the function will be inherent.

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international

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application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

6. Claims 38-42, 44-48, 61, 64, 68, 71, 74 and 77 are rejected under 35 U.S.C. 102(e) as being anticipated by Jain et al. (6,463,444).

As to claim 38, Jane teaches a system for editing an audio/video production comprising: an input processor for processing data from a recording medium; a database to store meta data; an editing processor, having a GUI display (Figs. 1 and 8-9).

As to claims 39-40, Jane teaches where the editing processor is coupled through channels to the database (Fig.9)

as to claims 41 and 42, Jane teaches where the processors are interfaced inherently using the standard RS322 or SDI interface (Fig.9)

as to claims 44-45, Jain teaches event monitor (Fig.9, 540).

Claims 46-48 are methods claim analogous to claim 38 and the corresponding dependent claims and are rejected for the foregoing reasons.

As to claims 61, 64, 68, 71, 74 and 77, Jain teaches where the process is performed by computer (Figs.4) and a computer product for carrying out the function will be inherent.

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 6, 7 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Wactlar, and further in view of Jain et al. "Jain" (6,463,444).

As to claims 6-7, Wactlar teaches where time stamped and and indexed video data are stored and portion of it is accessed over a network using textual query for identifying materials in the video, however Wactlar doesn't explicitly teach where the material include meta data having a unique ID. Jain teaches a video cataloguing and reproducing apparatus where video data are catalogued in to meta data having a unique meta data track index identifying the item (Figs.6-7; abstract). it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to combine the two arts for providing an alternative to identify and access the audio/video data.

As to claim 11, Wactlar teaches where keyboard, microphone and mouse are used for commands entries (Col.14, lines 52-53) . Official Notice is taken that touch screen display technology is well known and it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to include it in Wactlar's teaching in order to allow the user effect his selection.

9. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wactlar and Jain et al. as applied to claim (999) above, and further in view of Martin et al. "Martin" (GB 2312 078).

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As to claim 13, Wactlar teaches where segments are time coded and indexed and Jain teaches where individual meta data are indexed using codes, however, they don't teach UMID. Martin teaches a video editor and reproducer, where portions of image data are identified using UMID codes (Page 3, line 10-14). it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to use UMID coding in Jain's teaching in view of Martin for the purpose of efficiently identifying the segments in the video data.

10. Claim 43 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jain as applied to claims 38-42 above, and further in view of Martin.

As to claim 43, using UMID codes would be obvious in Jain's system for same reason discussed above.

### *Conclusion*

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Kenner et al. (6,269,394).

Any inquiry concerning this communication or earlier communication from the examiner should be directed to Daniel Abebe whose telephone number is (703) 308-5543. The examiner can normally be reached on Monday through Friday from 8:00 a.m. to 4:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha D. Banks-Harold, can be reached at (703) 305-4379. The facsimile phone number for this group is (703)872-9314.

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Any inquiry of general nature or relating to the status of this application should be directed to the Technology Center 2600 Customer Service office whose telephone number is (703) 306-0377

**Daniel Abebe, Patent Examiner-Art Unit 2654**



**March 20, 2003**